

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN**  
**BEFORE THE REAL ESTATE BOARD**

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**IN THE MATTER OF THE DISCIPLINARY**  
**PROCEEDINGS AGAINST**

**PETER G. BECKLEY**  
**RESPONDENT.**

**FINAL DECISION AND ORDER**  
**97 REB 197**  
**LS9912093REB**

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The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

*Peter G. Beckley*  
*624 W. Seymour St.*  
*Appleton, WI 54915*

*Wisconsin Real Estate Board*  
*P.O. Box 8935*  
*Madison, WI 53708-8935*

*Department of Regulation and Licensing*  
*Division of Enforcement*  
*P.O. Box 8935*  
*Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board . The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. **Peter G. Beckley** ("Beckley"), date of birth 2/07/40, is licensed in the State of Wisconsin as a real estate broker having license # 90-29528. This license was first granted to him on 09/02/83. Beckley's most recent address on file with the Department of Regulation and Licensing is, 624 W. Seymour St., Appleton, WI 54915. 3. On January 1, 1997, Beckley's Wisconsin real estate brokers license expired and it was not renewed by him until on or about October 17, 1997. During that timeframe he continued to practice real estate as illustrated by paragraphs 4 through 12 below.
2. At all times relevant to the facts set forth below Beckley was a real estate broker/employee of, Cornerstone Of The Fox Valley Inc. Realtors, 1000 W. College Ave., Appleton, WI 54914.
3. On January 1, 1997, Beckley's Wisconsin real estate brokers license expired and it was not renewed by him until on or about October 17, 1997. During that timeframe he continued to practice real estate as illustrated by paragraphs 4 through 12 below.
4. On or about January 11, 1997, Frank Mueller entered into a Residential Listing Contract-Exclusive Right To Sell agreement with Beckley for the sale of his property located at 1515 W Center St. Appleton, WI. The listing price

was \$89,900.00. Terms of the contract set forth on lines 55 and 56 indicate that the contract was to expire on February 15, 1997. A copy of the Residential Listing Contract-Exclusive Right To Sell agreement is attached as **Exhibit 1** and is incorporated herein by reference.

5. On or about February 18, 1997, an Amendment To Listing Contract, drafted by Beckley and signed by Mueller, extended the expiration date of the Residential Listing Contract-Exclusive Right To Sell agreement (Exhibit 1) from February 15, 1997, to March 31, 1997. A copy of the Amendment To Listing Contract is attached as **Exhibit 2** and is incorporated herein by reference.

6. On or about April 1, 1997, an Amendment To Listing Contract, drafted by Beckley and signed by Mueller, extended the expiration date of the Residential Listing Contract-Exclusive Right To Sell agreement (Exhibit 1) until April 30, 1997, and changed the listed price from \$89,900.00 to \$ 89,500.00. A copy of the Amendment To Listing Contract is attached as **Exhibit 3** and is incorporated herein by reference.

7. On or about April 27, 1997, real estate licensee Grant Wood of Century 21 Great American, Appleton, WI., drafted a Residential Offer to Purchase on behalf of Kari A. Frey for the 1515 W. Cedar St. Property. The offered price was \$85,000.00 with closing to occur on or before May 30, 1997. On or about April 29, 1997, Mueller countered the offer with a selling price of \$87,000.00. The Counter-Offer also states at lines 18-20: "This offer is a secondary offer until midnight April 30, 1997." The Counter-Offer was drafted by Beckley and it was accepted by Frey on or about May 1, 1997. A copy of the April 27, 1997, Residential Offer to Purchase is attached as **Exhibit 4** and is incorporated herein by reference. A copy of the Counter-Offer and Acceptance of Counter-Offer is attached as **Exhibit 5** and is incorporated herein by reference.

8. On or about May 1, 1997, Beckley prepared a NOTICE RELATING TO OFFER TO PURCHASE (form WB-43) notifying Frey that her offer had now become primary as of May 1, 1997. Beckley signed this document on May 1, 1997, as Agent for Sellers. A copy of the NOTICE RELATING TO OFFER TO PURCHASE (form WB-43) is attached as **Exhibit 6** and is incorporated herein by reference.

9. On or about May 14, 1997, an Amendment To Listing Contract, drafted by Beckley and signed by Mueller, extended the expiration date of the Residential Listing Contract-Exclusive Right To Sell agreement (Exhibit 1) to June 15, 1997. A copy of the Amendment To Listing Contract is attached as **Exhibit 7** and is incorporated herein by reference.

10. The Mueller/Frey transaction failed to close.

11. On or about June 20, 1997, Mueller entered into a second Residential Listing Contract-Exclusive Right To Sell agreement with Beckley for the sale of his property at 1515 W. Cedar St. Appleton, WI. The listed price was \$88,900.00, with the expiration date of the contract being July 15, 1997. A copy of the Residential listing Contract-Exclusive Right To Sell agreement is attached as **Exhibit 8** and is incorporation herein by reference.

12. On or about July 24, 1997, Mueller entered into a third Residential listing Contract-Exclusive Right To Sell agreement with Beckley for the sale of his 1515 W. Cedar St. property. The listed price was \$88,900.00, with the expiration date of the contract being August 20, 1997. A copy of the Residential Listing Contract-Exclusive Right To Sell agreement is attached as **Exhibit 9** and is incorporated herein by reference.

13. On or about October 8, 1997, the Department of Regulation and Licensing received Beckley's license renewal application. His license was renewed on October 17, 1997.

### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to sec. 452.14, Wis. Stats.
2. The Wisconsin Real Estate Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent **Peter G. Beckley** has violated:
  - a. Wis. Adm. Code sec. RL 24.17(3) and Wis. Stats. sec. 452.03, Wis. Stats. sec. 452.14(3)(L) and Wis. Stats. sec. 452.14(3)(i) by practicing real estate without having a valid Wisconsin real estate license between January 1, 1997, and October 17, 1997.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent **Peter G. Beckley**, license #90-29528, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Peter G. Beckley**, pay partial costs of this matter in the amount of \$250.00, within 30 days of the date of this Order by making payment of the same to the Department of Regulation and Licensing, P.O. Box 8935, Madison, WI 53708-8935.

IT IS FURTHER ORDERED, that in the event Respondent **Peter G. Beckley** fails to pay the \$250.00 partial costs within the time and manner as set forth above, then and in that event, and without further notice to the Respondent Peter G. Beckley, his real estate broker's license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said partial costs have been paid to the Department of Regulation and Licensing and his failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 97 REB 197 be, and hereby is, closed.

Dated this 9th day of December, 1999.

**WISCONSIN REAL ESTATE BOARD**

By: James Imhoff

A member of the Board